

# The Gazette of India

EXTRAORDINARY

PART II—Section 3

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**AJMER STATE GOVERNMENT**

**Law and Judicial Department**

*Ajmer, the 14th April, 1955*

The following Act of the Ajmer Legislative Assembly received the assent of the President on the 28th March, 1955 and is hereby published for general information:—

## THE AJMER ANIMAL PRESERVATION ACT, 1954

Act No. XIV of 1954

*An Act to provide for the preservation of certain animals by controlling the slaughter thereof.*

Be it enacted by the Legislative Assembly of the State of Ajmer in the Fifth Year of the Republic of India as follows:—

**1. Short title, extent and commencement.**—(1) This Act may be called the Ajmer Animal Preservation Act, 1954.

(2) It extends to the whole of the State of Ajmer.

(3) It shall come into force on such date as the State Government may, by notification in the official Gazette, appoint.

**2. Definition.**—(1) In this Act, unless the context otherwise requires,—

(a) 'competent authority' means a person appointed under section 3 to perform the functions of a competent authority under this Act;

(b) 'prescribed' means prescribed by rules made under this Act;

(c) 'State Government' means the Chief Commissioner of the State of Ajmer.

(2) The General Clauses Act, 1897 (X of 1897) applies for the interpretation of this Act as it applies for the interpretation of a Central Act.

**3. Appointment of competent authority.**—The State Government may, by notification in the official Gazette, appoint a person to perform the functions of a competent authority under this Act for such area as may be specified in the notification

**4. Prohibition of slaughter of cows.**—Notwithstanding anything in any law for the time being in force or any usage to the contrary no person shall slaughter or cause to be slaughtered any bull, bullock, cow or the calf of a cow.

**5. Prohibition of slaughter of animals without certificate.**—(1) Notwithstanding anything in any law for the time being in force or any usage to the contrary, no person shall slaughter or cause to be slaughtered any female buffalo or its female progeny unless on an application made in this behalf he has obtained a certificate in the prescribed form from the competent authority for the area in which such animal is to be slaughtered that the animal is fit for slaughter.

(2) An application for a certificate under sub-section (1) to the competent authority shall contain such particulars as may be prescribed.

(3) No certificate shall be granted under sub-section (1) unless the competent authority, for reasons to be recorded in writing, is of opinion that the animal has become permanently incapacitated for work or breeding due to age, injury, deformity or any incurable disease.

**6. Appeals and revision.**—(1) Any person aggrieved by the refusal of a competent authority to grant a certificate under section 5 may, within thirty days from the date of communication to him of such refusal, appeal to the State Government against the order of refusal and the State Government may pass such order thereon as it thinks fit.

(2) The State Government may at any time for the purpose of satisfying itself as to the legality or propriety of any action taken under section 5 call for and examine the record of any case, and may pass such order thereon as it thinks fit.

(3) Subject to the provisions of this section, any action taken under section 5 shall be final and shall not be called in question in any court.

**7. Prohibition of slaughter of animals in places not prescribed for the purpose.**—No animal specified in the Schedule shall be slaughtered in any place other than a place prescribed in this behalf.

**8. Power to enter and inspect premises.**—(1) For the purpose of enforcing the provisions of this Act, the competent authority or any persons authorised in this behalf by the State Government or the competent authority (hereinafter referred to as the authorised person) shall have power to enter and inspect any premises where the competent authority or such authorised person has reason to believe that an offence under this Act has been or is likely to be committed.

(2) Every person in occupation of any such premises as are specified in sub-section (1) shall allow the competent authority or the authorised person such access to the premises as may be necessary for the aforesaid purpose and shall answer to the best of his knowledge and belief any question put to him by the competent authority or such authorised person.

**9. Penalties.**—Whoever contravenes any of the provisions of this Act shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both.

**10. Offences to be cognisable.**—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (Act V of 1898) all offences under this Act shall be cognisable.

**11. Abetments and attempts.**—Whoever abets any offence punishable under this Act or attempts to commit any such offence shall be punished with the punishment provided in this Act for such offence.

**12. Officers exercising powers under this Act deemed to be public servants.**—All persons exercising powers under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code, 1860 (Act XLV of 1860).

**13. Protection of persons acting in good faith.**—No suit, prosecution or other legal proceeding shall be instituted against any person for anything which is in good faith done or intended to be done under this Act or the rules made thereunder.

**14. Power to grant exemptions.**—The State Government, if satisfied on a certificate of a Veterinary Surgeon or otherwise, that the slaughter of any animal specified in the Schedule is necessary in the interest of public health or it is suffering from a contagious disease and its retention is dangerous to other animals, may by special order direct, that subject to such conditions as may be prescribed, the provisions of this Act shall not apply to the slaughter of such animal.

**15. Delegation of powers.**—The State Government may, by notification in the official Gazette, delegate to any officer of the State Government all or any of its powers or functions under section 6 or section 14.

**16. Power to make rules.**—(1) The State Government may, by notification in the official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) the appointment of a competent authority and the procedure to be followed by a competent authority in the exercise of its functions under this Act;
- (b) the form of an application referred to in section 5 and the manner in which any such application may be filed;
- (c) the form of a certificate to be granted under section 5;
- (d) the fees payable for any certificate granted under section 5;
- (e) the places in which animals may be slaughtered in pursuance of this Act;
- (f) the conditions subject to which the slaughter of any animal may be permitted under section 14.

#### THE SCHEDULE

Bulls  
Bullocks  
Cows  
Calves  
Male and female buffaloes  
Buffalo calves

V. N. BHATIA,

*Dy. Secy. to the Govt. of Ajmer.*